

## **ORDINANCE NO. 5302**

AN ORDINANCE OF THE CITY OF FREMONT, NEBRASKA, AMENDING SECTION 9-601 OF THE FREMONT MUNICIPAL CODE; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE RULES AND REGULATIONS AND GOVERNING THE INSTALLATION AND MAINTENANCE OF ELECTRICAL WIRING AND APPARATUS WITHIN OR ADJACENT TO ANY STRUCTURE, BUILDING, OR CONVEYANCE WITHIN THE CITY OF FREMONT AND ITS AREA OF JURISDICTION; PROVIDING FOR A PENALTY FOR VIOLATION THEREOF; PROVIDING FOR THE REPEAL OF ORDINANCE NO. 5233 AND ALL OTHER ORDINANCES IN CONFLICT THEREOF; PRESCRIBING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA:

**SECTION I.** That the 2014 National Electrical Code be amended as follows:

### **ARTICLE 90**

**90.2(b)(6)** - Add paragraph (6) as follows:

(6) Installations of electrical fixtures, equipment or connections pertaining to or repair of communication, signal system or low voltage control of gas facilities of utilities except as to their initial connection to the supply line.

**90.4** - Second paragraph to read as follows:

The Building Code Advisory and Appeals Board may waive specific requirements in this code or permit alternative methods, where it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.

### **ARTICLE 210.8(A)**

**ADD (11) to read as follows:**

Any GFCI receptacle that is supplying power to a condensate pump, sump pump, flood pump, sewage pump, or ejector pump shall have a built in audible alarm sound when the GFCI is in the open or tripped position.

### **ARTICLE 210.11(C)(3)**

AMEND the section to read as follows:

In addition to the number of branch circuits required by other parts of this section, at least one 120-volt, 20-ampere branch circuit shall be allowed to supply only one bathroom receptacle outlet(s). The exception remains unchanged.

### **ARTICLE 210.52**

DELETE (C) (2)+(3)

### **ARTICLE 230.43**

DELETE the following from the first paragraph:

- (1) Open wiring on insulators;
- (2) Type IGS cable
- (4) intermediate metal conduit;

- (7) service-entrance cables;
- (13) Type MC cable;
- (14) mineral-insulated, metal sheathed cable.

#### **ARTICLE 230.70 A. (1)**

Amend by adding second paragraph:

The nearest point of entrance inside a building shall have a maximum of six feet of approved raceway from the point of entrance at the exterior wall. The distance can be increased from six feet to ten feet if Rigid Metal Conduit is used as the raceway.

#### **ARTICLE 230.71**

AMEND sub-section (A) to read as follows:

- (A) General. The service disconnecting means for each service permitted by Section 230.-2, or for each set of service entrance conductors permitted by Section 230.40, Exceptions 1,3,4, or 5 shall consist of not more than six (6) switches or six (6) circuit breakers mounted in a single enclosure, (400 amps or over) in a group of separate enclosures, or in or on a switchboard or in switchgear. There shall be no more than six (6) disconnects per service (400 amps or over) grouped in any one location. One (1) main breaker or one (1) set of main fuses per enclosure shall be allowed on services rated less than 400 amps on all electrical services.

#### **ARTICLE 330.104**

AMEND the second sentence to read:

"The minimum conductor size shall be No. 14 copper and No. 8 aluminum or copper-clad aluminum.

Grounding. Type MC cable shall provide an adequate path for equipment by a factory-installed "equipment grounding conductor."

#### **ARTICLE 334.10**

AMEND to read:

"Uses Permitted. Type NM, Type NMC, and Type NMS cables shall be permitted to be used in one and two family dwellings and associated garages and sheds, multi-family dwellings three stories or less in height, except as prohibited in Section 334.12."

#### **ARTICLE 340.12**

ADD Item 12) as follows:

"12) except on one family, two family and multi-family residential dwellings three stories or less in height."

#### **ARTICLE 422.31(B)**

Amend by deleting:

"or is lockable in accordance with 110.25."

#### **ARTICLE 440.14**

**DELETE** the period after the word "equipment" and **ADD** the following:

"and shall be of dead front construction as accepted by NEMA Standards, except on non-accessible roof units."

**DELETE ARTICLE 505** and related portions of **ARTICLES 500 AND 501**

## **DELETE ARTICLE 545.10**

### **ARTICLE 590.3 (B)**

Amend by adding:

Any appliance that is installed shall be allowed to be temporarily wired for a maximum of 5 working days.

### **ARTICLE 800.1**

Scope - AMEND by adding the following:

No permits shall be required nor do contractors need to be licensed to perform work, which is covered by this article.

### **ARTICLE 810.1**

Scope - AMEND by adding the following:

No permits shall be required nor do contractors need to be licensed to perform work, which is covered by this article.

### **ARTICLE 820.1**

Scope - AMEND by adding the following:

No permits shall be required nor do contractors need to be licensed to perform work, which is covered by this article.

**SECTION II. INSPECTION FEES.** All fees shall be computed on the dollar value of the electrical installation, including fixtures and installation costs thereof, and such fees shall be as follows

Issuance of Permit	\$6.00
<u>VALUATION OF WORK</u>	<u>FEES</u>
Not more than \$2000	\$24.00
More than \$2000 but not more than \$5,000	\$12.00 per each \$1,000 valuation or fraction thereof of total valuation
More than \$5,000 but not more than \$10,000	\$60.00 plus \$7.00 per each \$1,000 valuation above \$5,000 or fraction thereof
More than \$10,000 but not more than \$50,000	\$95.00 plus \$6.00 per each \$1,000 valuation above \$10,000 or fraction thereof
More than \$50,000	\$335.00 plus \$5.00 for each \$1,000 valuation above \$50,000 or a fraction thereof

#### **OTHER INSPECTIONS AND FEES:**

- |   |                  |
|---|------------------|
| 1. Inspections outside of normal business hours (min. charge - two hours)                                       | \$50.00 per hr.  |
| 2. Inspections for which no fee is specifically indicated (min. charge - 1/2 hr)                                | \$50.00 per hr.  |
| 3. Additional plan review required by changes, additions, or revisions to approved plans (min. charge - 1/2 hr) | \$ 50.00 per hr. |

- |   |               |
|---|---------------|
| 4. Reinspection fee   | \$ 50.00 each |
| a. Reconnection of furnaces, water heaters, and air conditioners with like equipment of the same energy source, including "Issuance of Permit" charge | \$ 18.00 each |

#### INVESTIGATION FEE; WORK WITH A PERMIT

1. Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

2. Fee. If the work was commenced when City offices were closed and the permit application is made by 10:00 a.m. the first working day City offices are open, the investigation fee shall be zero dollars. The investigation fee in all other cases shall be equal to the permit fee unless work has progressed beyond the point for which there is a required inspection. In this case, the investigation fee shall be a minimum of \$50.00 or the permit fee, whichever is greater. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

**SECTION II. SHUTTING OFF CURRENT.** The Inspector shall have authority, whenever in his opinion public safety requires it, to require any person using or operating any electric wires to shut off said current therefrom upon reasonable notice and as the circumstances may warrant for such reasons as the Inspector shall deem necessary. The notice of shut-off shall be furnished in writing except in the case of emergency, shut-off may be accomplished prior to delivery of such notice.

**SECTION III. INSTALLATION BY OWNER** Any homeowner may install electrical wiring and perform electrical work but not the repair or replacement of the electrical service equipment only in a single family residence which he occupies as his own home. The owner shall own both the single-family residence and the land/property that the residence is placed upon. The Inspector shall have final determination of this rule. All electrical wiring installed by an owner shall be for himself without compensation or pay from or to any other person for such labor or installation. Such installation by an owner shall comply with the requirements of this code and the owner, in exercising this privilege, shall not set himself up as a Master Electrician. The owner shall be required to file plans, apply for and secure a permit, pay fees and call for all inspections.

Homeowners shall not do any electrical wiring on a spa / hot tubs or underground swimming pools, or pools for therapeutic use.

**SECTION IV. DEFINITIONS, LICENSING AND ADMINISTRATIVE.** DEFINITIONS: Unless context otherwise requires, the following definitions shall apply:

- a) BOARD shall mean the Building Code Advisory and Appeals Board of the City of Fremont, Dodge County, Nebraska.
- b) MASTER ELECTRICIAN shall mean a person engaged in the business of and skilled in the planning, superintending and practical installation of electrical equipment, and who is familiar with the ordinances and regulations governing the same as regulated by this code, and is licensed as such by the City of Fremont.
- c) JOURNEYMAN ELECTRICIAN shall mean a person having the necessary qualifications, training, experience, and technical knowledge to install, manufacture, replace, repair, or fit any electrical

equipment regulated by this code, and is licensed as such by the City of Fremont.

d) APPRENTICE ELECTRICIAN shall mean a person engaged in learning and assisting in the installation, manufacturing, replacement, repairing, or fitting any electrical equipment regulated by this code, and is licensed as such by the City of Fremont

e) LICENSE FEES

License and Examination Fees -

Master Electrician License Fee	\$75.00
Master Electrician Examination Fee	\$275.00
Journeyman Electrician License Fee	\$15.00
Journeyman Electrician Examination Fee	\$175.00
Apprentice License Fee	\$ 5.00

Any person dealing in electrical materials or supplies, but not engaged in the installation, alteration, repair or removal of electrical equipment shall not be required to license hereunder.

Nothing in this chapter shall be construed to require an employee, working for a single employer as part of such employer's full-time staff and not holding himself out to the public for hire, to hold a license while acting within the scope of his employment. All work performed by such employees would be subject to the issuance of permits, payment of fees, and inspections, as if performed by a licensed master and shall comply with the provision of this chapter for permits and inspections.

### MASTER ELECTRICIAN LICENSE

No person shall engage in the electrical contracting business, desiring to install, operate, repair or maintain any electrical equipment regulated by this code for which a permit is required within the City and its two (2) mile jurisdiction without first having filled out an application form and passing examination. The examination to determine the applicant's qualifications shall be based upon his general training and experience in the trade including fundamental knowledge of electricity and general knowledge of the National Fire Protection Association Electrical Code. Any electrician issued a Class-A Master Electrician's license or Electrical Contractor's license by the State of Nebraska may, upon presentation of said State license, obtain a reciprocal Master Electrician's license without taking an examination.

Applicant must be a licensed Journeyman Electrician with not less than four (4) years of full-time employment before taking a Master Electrician's test or furnish satisfactory evidence of an equivalent combination of training and experience.

Examinations shall be given the last Friday of January, April, July and October during each calendar year and applications shall be received by the Inspection Department twenty (20) working days prior to said examination date. If applicant passes examination they are then eligible for a Master Electrician license upon fulfillment of all other licensing requirements. Any applicant for license who fails a required written examination shall not be eligible for re-examination until the next testing date. If applicant does not pass the examination, they are eligible to appeal to the Building Code Advisory and Appeals Board.

Before any Master Electrician's license shall be issued, he shall execute and file with the City a certificate of liability with the City named as additional insured in the sum of One Million Dollars (\$1,000,000) The certificate shall remain in place as long as the applicant maintains a license and the certificate shall state that the applicant shall indemnify and hold harmless the City, and shall indemnify any person from all damages caused by any neglect arising from a failure to protect any of his work or any unskilled or inadequate work done and that such applicant shall be governed by the rules and requirements

provided by this code and which may be hereafter adopted by the City. Such policy of insurance shall provide that it cannot be cancelled until ten (10) days written notice of such cancellation has been filed with the City Clerk. Cancellation or termination of any insurance policy issued for or in compliance with the provisions hereof shall automatically terminate any license, unless another policy complying with the provisions hereof shall be provided and in full force and effect at the time such cancellation or termination becomes effective.

All Master Electricians shall pay to the City a license fee of Seventy Five Dollars (\$75.00) and shall pay any fines imposed upon them for any violations of the 2014 National Electrical Code or ordinances applicable to them. The licensing period for Master Electrician's is January 1<sup>st</sup> to December 31<sup>st</sup>. The license fee shall not be prorated. The full license fee for any license issued pursuant to the code, no matter when the license was issued, is not refundable. Any Master Electrician that does not hold a Class-A Master Electrician license or Electrical Contractor license from the State of Nebraska may submit Continuing Education Unit (C.E.U.) Certificate of Attendance per industry standards and acceptance by the Inspection Department.

Permits shall be paid for when issued or billed. The amount paid shall be credited toward the cost of inspections. Failure to pay for outstanding permits and charges within thirty (30) days of billing date shall result in automatic suspension of applicable license and failure to pay permits and charges in sixty (60) days will amount to automatic revocation of the license.

### **JOURNEYMAN ELECTRICIAN LICENSE**

No person shall install, operate, repair or maintain any electrical equipment regulated by this code for which a permit is required within the City and its two (2) mile jurisdiction without first having filled out an application form and passing examination. The examination to determine the applicant's qualifications shall be based upon his general training and experience in the trade including fundamental knowledge of electricity and general knowledge of the National Fire Protection Association Electrical Code. Any electrician issued a Class-A Master Electrician's license, Electrical Contractor's license or Electrical Journeyman license by the State of Nebraska may, upon presentation of said State license, obtain a reciprocal Electric Journeyman's license without taking an examination.

Applicant must be a licensed Electric Apprentice with not less than four (4) years of full-time employment before taking the Electric Journeyman test or furnish satisfactory evidence of an equivalent combination of training and experience.

Examinations shall be given the last Friday of January, April, July and October during each calendar year and applications shall be received by the Inspection Department twenty (20) working days prior to said examination date. If applicant passes examination they are then eligible for an Electric Journeyman license upon fulfillment of all other licensing requirements. Any applicant for license who fails a required written examination shall not be eligible for re-examination for a period of two (2) months. If applicant does not pass the examination, they are eligible to appeal to the Building Code Advisory and Appeals Board.

All Electric Journeyman shall pay to the City a license fee of Fifteen Dollars (\$15.00). The licensing period for Electric Journeyman is January 1<sup>st</sup> to December 31<sup>st</sup>. The license fee shall not be prorated. The full license fee for any license issued pursuant to the code, no matter when the license was issued, is not refundable. Any Electric Journeyman that does not hold a Class-A Master Electrician license, Electrical Contractor license or Electrical Journeyman license from the State of Nebraska may submit Continuing Education Unit (C.E.U.) Certificate of Attendance per industry standards and acceptance by the Inspection Department.

## **APPRENTICE ELECTRICIAN LICENSE**

No Electrical Apprentice shall be permitted to work at the install, manufacture, replace, repair, or fit any electric system, except under the personal supervision and direction and in the presence of a duly licensed Electric Journeyman or Master Electrician.

All Electrical Apprentices shall pay to the City a license fee of Five Dollars (\$5.00). The licensing period for Electrical Apprentice is January 1<sup>st</sup> to December 31<sup>st</sup>. The license fee shall not be prorated. The full license fee for any license issued pursuant to the code, no matter when the license was issued, is not refundable.

## **THE BUILDING CODE ADVISORY AND APPEALS BOARD - DUTIES AND POWERS**

The Building Code Advisory and Appeals Board shall have the following duties and powers subject to approval of the Mayor and City Council:

- a) To establish and maintain minimum licensing standards.
- b) To establish license examination procedures.
- c) To establish administrative procedures for hearing grievances for license revocation.
- d) To review and make recommendations concerning protested license applications.
- e) To review and make recommendations on grievances for license revocations.
- f) The City Council may adopt reasonable rules and regulations for the implementation of the powers and authority of the Building Code Advisory and Appeals Board granted by this ordinance.

## **LICENSE DENIAL - APPEAL**

If applicant fails examination they shall be notified in writing.

1. The applicant may, within ten (10) calendar days of receipt of written notice of failure, file a written protest with the Board.
2. The Board shall set a time and place for hearing not less than ten (10) calendar days from receipt of written protest at which hearing the Board shall show cause why the applicant's license should not be approved. Notice of the hearing shall be given to the City of Fremont Inspection Department and the applicant.
3. The Board shall hear the protest and shall, in writing, recommend approval or disapproval.
4. The Board shall file their written recommendations with the City Clerk, who shall cause the application, together with the written recommendations of the Board, to be presented to the Mayor and City Council for hearing at the next regular meeting of the City Council.
5. The City Clerk shall give the applicant and the Inspection Department notice of the time and place of such hearing before the City Council.

The City Council shall take such action on the applicant as will result in a final order from which the applicant may appeal in the manner provided by law. A written report of said action shall be sent to the State Electrical Board.

## LICENSE - REVOCATION AND APPEAL

The Inspection Department or any person may file with the City Clerk for the revocation of any license issued pursuant to this ordinance.

Any person licensed as provided by this chapter who commences work without a proper permit shall be guilty of a violation of the code, after a second offense within two years, of this or any other provision provided in this code, his license shall be revoked.

The City Clerk shall serve notice of said grievance upon the Building Code Advisory and Appeals Board and upon the licensee by mailing a copy thereof - certified mail; return receipt requested.

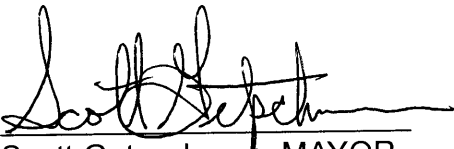
The Board shall set a time and place for hearing not less than twenty-one (21) calendar days from service upon him of said grievance, at which hearing, the Board shall consider the grievance for license revocation. The Board shall consider the record made as a whole and shall make written recommendations to the City Council on the grievance for license revocation. Said written recommendations shall be filed with the City Clerk who shall cause the grievance and written recommendations to be presented for hearing before the City Council at its next regular meeting.

The City Council shall take such action on the grievance for revocation as will result in a final order from which order appeal may be taken to the District Court in the manner provided by law.

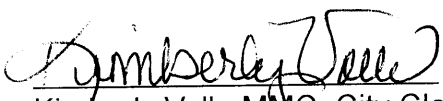
**SECTION V. VIOLATION.** Any person or persons violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof, be fined in any sum not to exceed One Thousand Dollars (\$1,000.00) or imprisonment of not more than three (3) months, or by both such fine and imprisonment for each violation. Each day that a violation of this code continues shall constitute a separate and distinct offense and shall be punishable as such. The penalty provided for in this section shall be cumulative and in addition to any other penalty provided for in this code or other ordinances.

**SECTION VI. EFFECTIVE DATE.** That Ordinance No. 5233 is hereby repealed and all other ordinances in conflict herewith are hereby repealed. This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. This ordinance shall be published in pamphlet form and distributed as a City Ordinance.

PASSED AND APPROVED THIS 25TH DAY OF MARCH, 2014

  
Scott Getzschman, MAYOR

ATTEST:

  
Kimberly Volk, MMC, City Clerk

